

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

**ARNULFO RODRIGUEZ,**

**Movant,**

**v.**

**UNITED STATES OF AMERICA,**

**Respondent.**

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**Civil Action 4:18-cv-876-O  
(Criminal No. 4:16-cr-029-O (4))**

**ORDER GRANTING MOTION FOR LEAVE TO SUPPLEMENT § 2255 MOTION  
and, EXTENDING TIME FOR GOVERNMENT RESPONSE**

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Now pending is Defendant/Movant Arnulfo Rodriguez's motion for leave to file a supplement to the motion under 28 U.S.C. § 2255 with a separate proposed "Memorandum of Law in Support to File a Supplement for Motion under 28 U.S.C. § 2255 to Vacate, Set Aside or Correct Sentence." ECF Nos. 14 and 15. The Court previously served the § 2255 motion upon the government, and then extended the time for any response, such that no response has yet been filed. Federal Rule of Civil Procedure 15(a)(1) appears to authorize the motion to amend/supplement in this instance. As the proposed supplemental grounds for relief are timely raised, and it is unclear whether such grounds would be futile without response from the government, the Court will allow the filing of the supplement to the § 2255 motion. Furthermore, the Court will grant the government an extension of time to file an answer to the § 2255 motion as supplemented.

It is therefore **ORDERED** that Arnulfo Rodriguez's motion for leave to supplement (ECF No. 14.) is **GRANTED**, such that the "Memorandum of Law in Support to File a Supplement for Motion under 28 U.S.C. § 2255 to Vacate, Set Aside or Correct Sentence" will be considered as a supplement to the § 2255 motion in this case.

It is further **ORDERED** that the government's time to respond to the § 2255 motion as now supplemented, consistent with the terms of the November 13, 2018 Order and Instructions to Parties, is **EXTENDED** an additional thirty days until **March 15, 2019**. Defendant Rodriguez may file any reply within thirty days following service of the answer, or other responsive pleading of the United States.

**SIGNED** this **4th day of February, 2019**.

  
Reed O'Connor  
UNITED STATES DISTRICT JUDGE